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HOUSE BILL 218

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

LEO C. WATCHMAN JR.

AN ACT

**RELATING TO SALE OF STATE PROPERTY; AMENDING A SECTION OF THE
PROCUREMENT CODE; DECLARING AN EMERGENCY.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**Section 1. Section 13-6-1 NMSA 1978 (being Laws 1961,
Chapter 100, Section 1, as amended) is amended to read:**

**"13-6-1. DISPOSITION OF OBSOLETE, WORN-OUT AND UNUSABLE
PERSONAL PROPERTY. --**

**A. The governing authority of each state agency,
local public body, school district and state educational
institution may dispose of any item of personal property
belonging to that authority and delete the item from its
public inventory upon a specific finding by the authority that
the item of property is:**

(1) of a current resale value of five

Underscored material = new
[bracketed material] = delete

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1 thousand dollars (\$5,000) or less; and

2 (2) worn-out, unusable or obsolete to the
3 extent that the item is no longer economical or safe for
4 continued use by the body.

5 B. The governing authority shall, as a
6 prerequisite to the disposition of any items of personal
7 property, give notification at least thirty days prior to its
8 action making such deletion by sending a copy of its official
9 finding and the proposed disposition of the property to the
10 state auditor, duly sworn and subscribed under oath by each
11 member of the authority approving the action.

12 C. A copy of the official finding and proposed
13 disposition of the property sought to be disposed of shall be
14 made a permanent part of the official minutes of the governing
15 authority.

16 D. The governing authority shall dispose of the
17 item by negotiated sale or donation to other state agencies,
18 local public bodies, school districts, state educational
19 institutions, ~~[or]~~ municipalities or any governmental unit of
20 an Indian nation, tribe or pueblo located in whole or in part
21 in New Mexico or through the central purchasing office by
22 means of competitive sealed bid or public auction or through
23 the federal property assistance bureau of the general services
24 department.

25 E. This section shall not apply to any property

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1 acquired by a museum through abandonment procedures pursuant
2 to the Abandoned Cultural Properties Act. "

3 Section 2. EMERGENCY.--It is necessary for the public
4 peace, health and safety that this act take effect
5 immediately.

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